

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOHN BURTON,

Plaintiff,

v.

CITY OF SPOKANE, *et al.*,

Defendants.

NO. CV-06-322-RHW

**ORDER GRANTING
DEFENDANTS' MOTION FOR
VOLUNTARY DISMISSAL OF
COUNTERCLAIM**

Before the Court is Defendant's Motion for Voluntary Dismissal of Counterclaim Pursuant to (FRCP 41(c)) (Ct. Rec. 148). The motion was heard without oral argument and on an expedited basis.

The City of Spokane Defendants seek to voluntarily dismiss the counterclaim for malicious prosecution. Plaintiffs did not file an opposition to the motion.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendants' Motion for Voluntary Dismissal of Counterclaim Pursuant to (FRCP (c)) (Ct. Rec. 148) is **GRANTED**.

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**ORDER GRANTING DEFENDANTS' MOTION FOR VOLUNTARY
DISMISSAL OF COUNTERCLAIM ~ 1**

1 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
2 Order and forward copies to counsel.

3 **DATED** this 29th day of August, 2008.

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5 *s/Robert H. Whaley*

6 ROBERT H. WHALEY
7 Chief United States District Judge

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